

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS

69A Hagood Avenue

Charleston, South Carolina 29403-5107

and the

S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL

OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT

1362 McMillan Avenue, Suite 400

Charleston, South Carolina 29405

REGULATORY DIVISION

Refer to: P/N # 2006-403-2IR-P

March 10, 2006

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Sections 401 and 404 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et seq.) an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

NORTH CHARLESTON SEWER DISTRICT

C/O DAVIS AND FLOYD, INC.

ATTN. STEVE HIRSCH, EIT

POST OFFICE BOX 61559

CHARLESTON, SOUTH CAROLINA 29419-1599

for a permit to place fill material in waters of the United States, including wetlands, adjacent to

SHIPYARD CREEK

at the North Charleston Sewer Plant located at 1000 Herbert Street, Charleston County, South Carolina (Latitude: 32.831, Longitude: 79.944).

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, MONDAY, APRIL 10, 2006

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of construction of an additional aeration basin at the North Charleston Sewer District. The basin will be located beside two existing aeration basins at the northeast corner of the property adjacent to critical area wetlands and will be approximately 100' wide x 250' long. The north end of the proposed aeration basin will be located over 1548 square feet (0.035 acre) of critical area. The basin will require approximately 84 cubic yards of excavation and fill. This project, as stated by the applicant, is essential for proper biological treatment of the incoming wastewater in order to attain acceptable pollutant discharge levels. This treatment will serve to maintain the water quality of all receiving water bodies and protect public health.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a

March 10, 2006

copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact 0.035 acres of estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

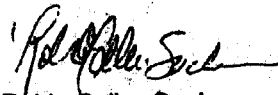
The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest and will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency

March 10, 2006

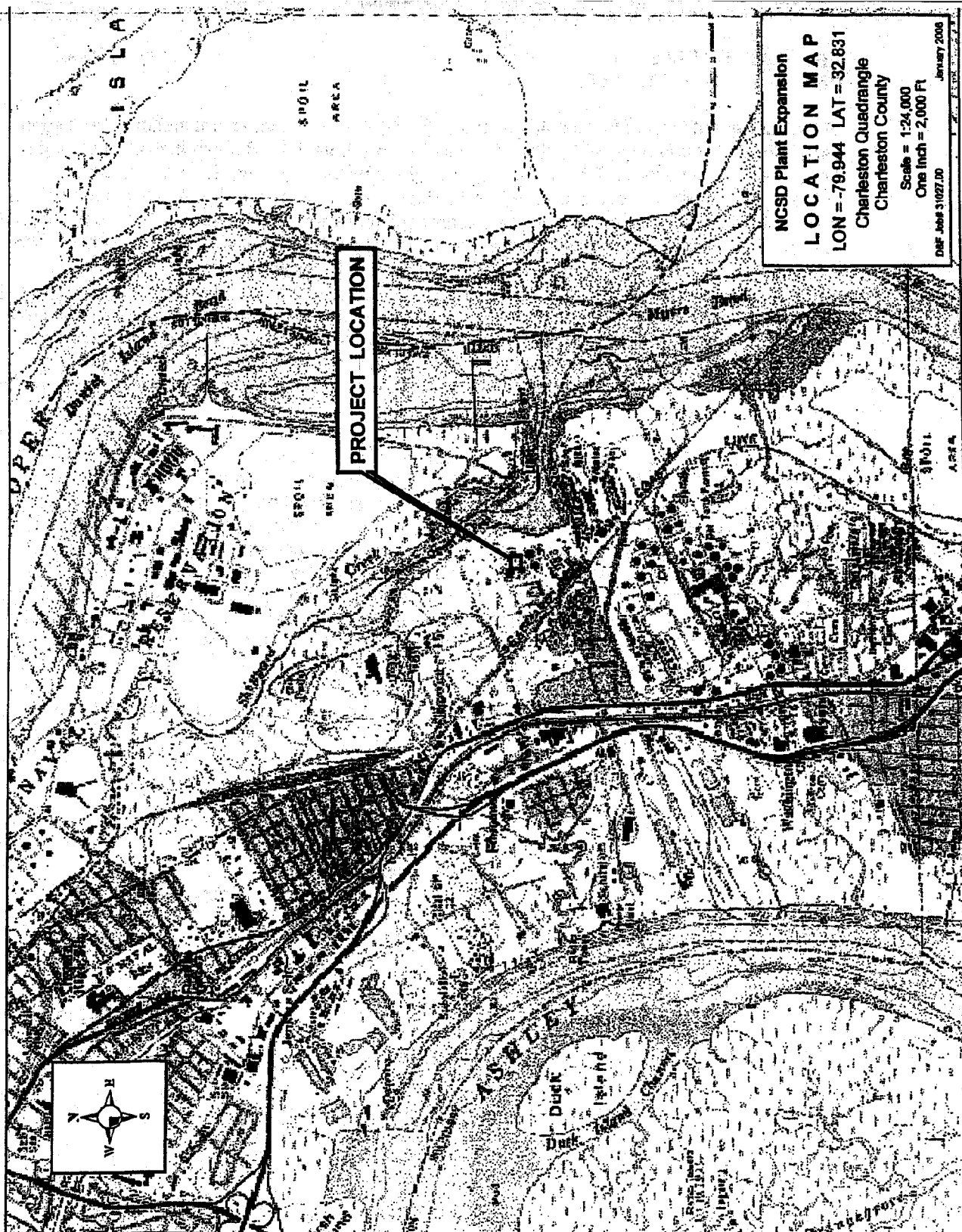
(EPA), under authority of Section 404(b) of the Clean Water Act and, as appropriate, the criteria established under authority of Section 102 of the Marine Protection, Research and Sanctuaries Act of 1972, as amended. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

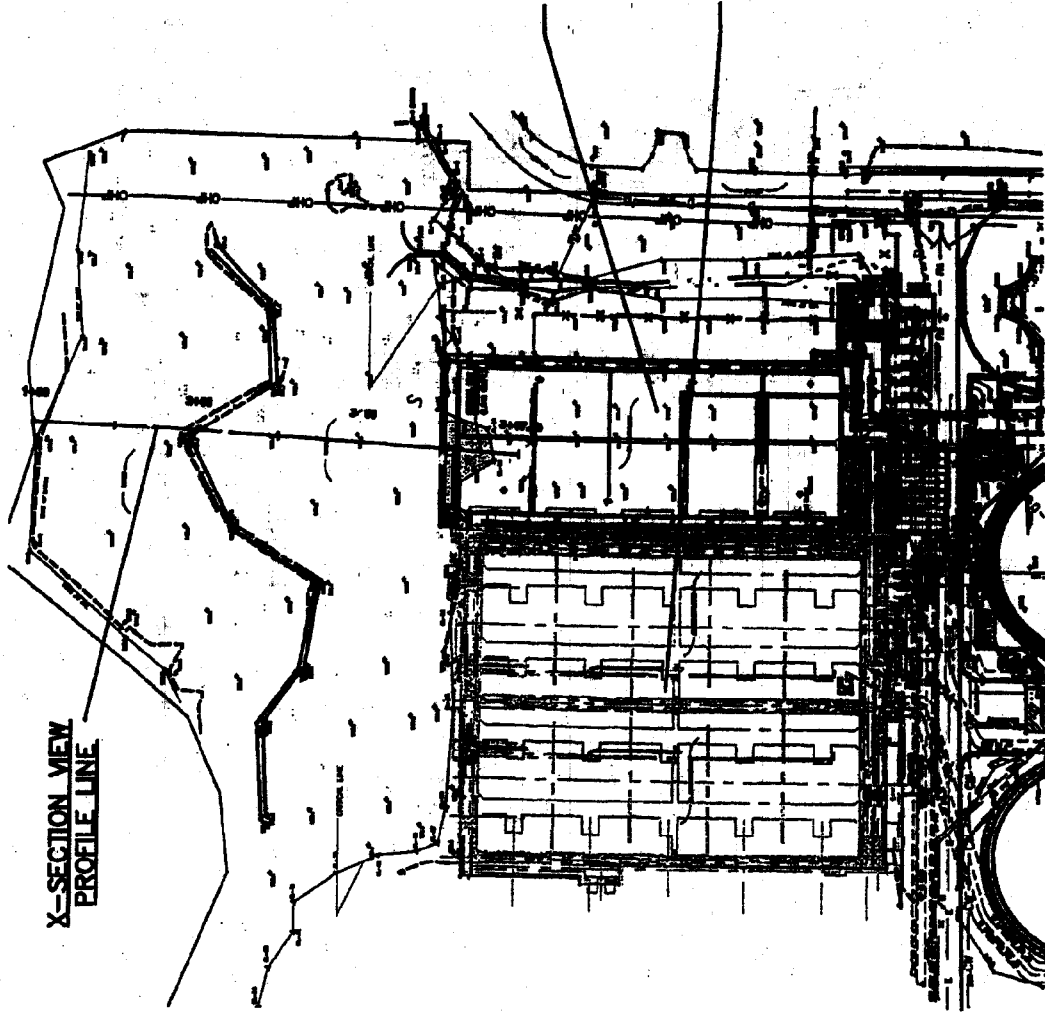
The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.


Robin Collier-Socha
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

Tess Rodgers
Project Manager
SCDHEC-OCRM





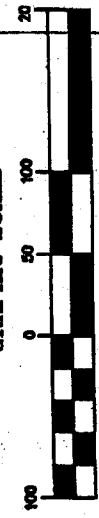
X-SECTION VIEW
PROFILE LINE

NEW
AERATION TANK
EXPANSION

EXISTING
AERATION TANKS

PLAN

GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.

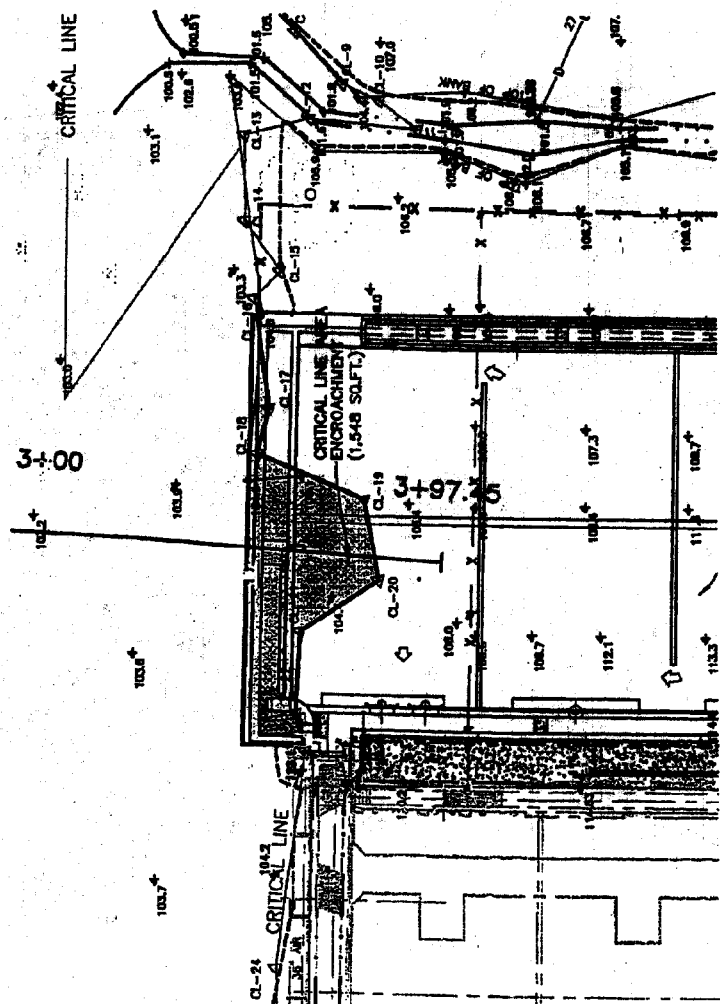
DAVIS Engineering
Architecture
FLÖYD Environmental & Laboratory Services
GREENWOOD • CHARLESTON • COLUMBIA
SOUTH CAROLINA

NCSD PLANT EXPANSION

NEAR: SHIPYARD CREEK
AT: HERBERT STREET
COUNTY OF CHARLESTON
APPLICATION BY: NCSD
SHEET 1 OF 3

STATE: SC

OCT. 2005

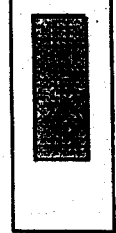


PLAN

GRAPHIC SCALE



(IN FEET)
1 inch = 40 ft.

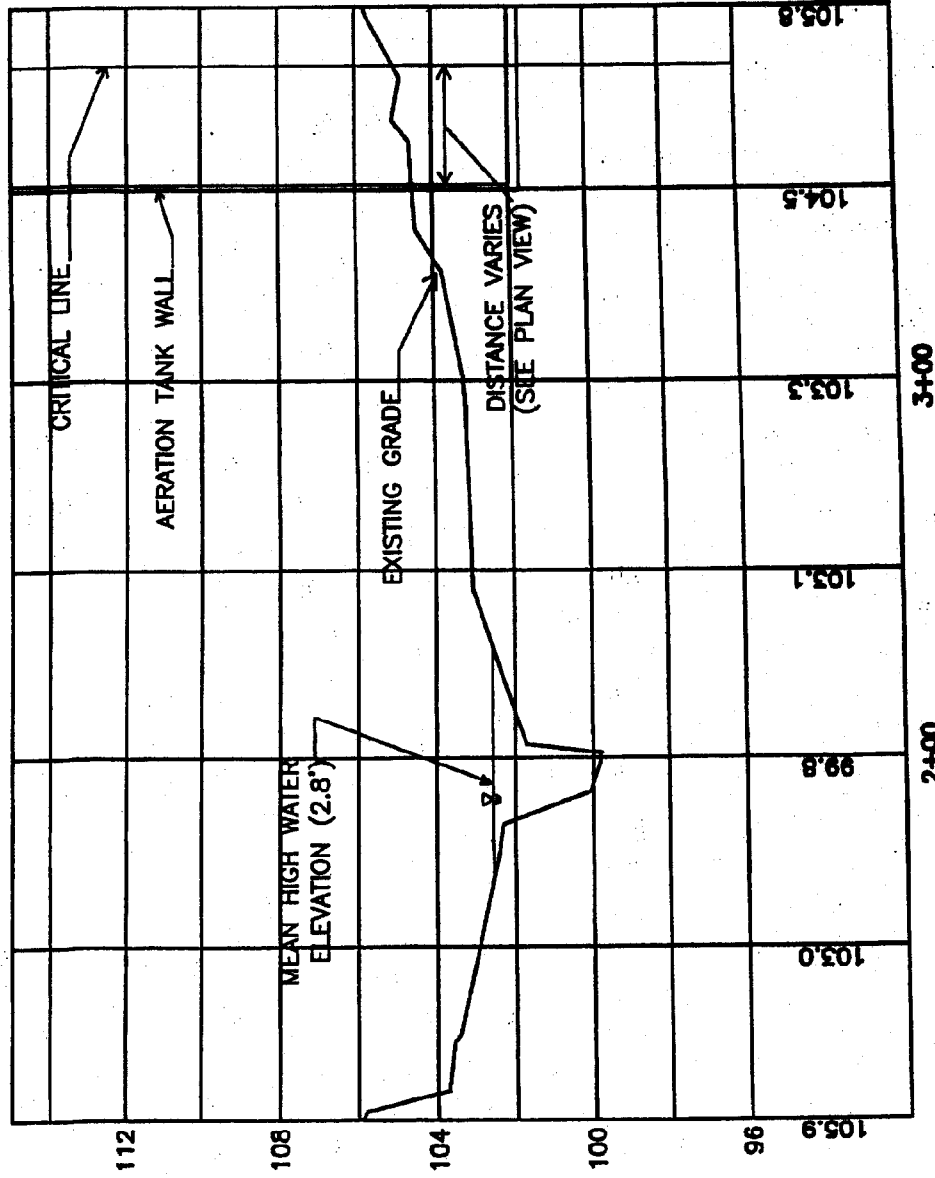


1,548 SQ.FT.

CRITICAL LINE AREA
ENCROACHMENT

DAVIS Engineering
Architecture
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SOUTH CAROLINA

NCSD PLANT EXPANSION
NEAR: SHIPYARD CREEK
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APPLICATION BY: NCSD
SHEET 2 OF 3
STATE: S
OCT. 200



X-SECTION VIEW

DAVIS Engineering
FLÖYD Architecture
 Environmental & Laboratory Services
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 SOUTH CAROLINA

NCSD PLANT EXPANSION
 NEAR: SHIPYARD CREEK
 AT: HERBERT STREET
 COUNTY OF CHARLESTON
 APPLICATION BY: NCSD
 SHEET 3 OF 3
 STATE: SC
 OCT. 2003